

(c) *Regulations.* (1) No person or vessel may enter into the security zone under this section unless authorized by the Captain of the Port San Juan.

(2) Vessels seeking to enter a security zone established in this section, may contact the COTP on VHF channel 16 or by telephone at (787) 289-2041 to request permission.

(3) All persons and vessels granted permission to enter the security zone must comply with the orders of the Captain of the Port San Juan and designated on-scene U.S. Coast Guard patrol personnel. On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

(d) *Effective period.* This section is effective on April 29, 2009.

[USCG-2008-0070, 74 FR 14049, Mar. 30, 2009]

#### EIGHTH COAST GUARD DISTRICT

##### **§ 165.T08-0432 Safety Zone; Waterway Closure, Morgan City-Port Allen Route from Mile Marker 0 to Port Allen Lock.**

(a) *Location.* Waters of the Gulf Intracoastal Water Way on the Morgan City—Port Allen route from MM 0 to the Port Allen lock.

(b) *Effective date.* This rule is effective May 16, 2011 through July 31, 2011.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into this zone is prohibited unless authorized by the Captains of the Port Morgan City or New Orleans.

(2) Vessels requiring entry into or passage through the Safety Zone must request permission from the Captains of the Port Morgan City or New Orleans, or a designated representative. They may be contacted on VHF Channel 13 or 16, or by telephone at 985-380-5370.

(3) All persons and vessels shall comply with the instructions of the Captains of the Port Morgan City or New Orleans and designated on-scene patrol personnel. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

EFFECTIVE DATE NOTE: By USCG-2011-0432, 76 FR 36320, June 22, 2011, temporary §165.T08-0432 was added, effective from June 22, 2011 until 11:59 p.m. July 31, 2011.

##### **§ 165.T08-0433 Safety Zone; Waterway Closure, Atchafalaya River from Mile Marker 117 (Morgan City Railroad Bridge) to Mile Marker 0 (Simmesport, LA).**

(a) *Location.* This temporary safety zone is located on the specified waters of the Atchafalaya River between MM 117 (Morgan City Railroad Bridge) and MM 0 (Simmesport, LA).

(b) *Effective date.* This rule is effective May 16, 2011 through July 31, 2011 and enforceable with actual notice upon signature, May 16, 2011.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port Morgan City.

(2) Vessels requiring entry into or passage through the Safety Zone must request permission from the Captain of the Port Morgan City, or a designated representative. They may be contacted on VHF Channel 13 or 16, or by telephone at 985-380-5370.

(3) All persons and vessels shall comply with the instructions of the Captain of the Port Morgan City and designated on-scene patrol personnel. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

EFFECTIVE DATE NOTE: By USCG-2011-0433, 76 FR 35104, June 16, 2011, temporary §165.T08-0433 was added, effective from June 16, 2011 until 11:59 p.m. July 31, 2011.

##### **§ 165.T08-0434 Safety Zone; Mile Marker 98.5 West of Harvey Lock Gulf Intracoastal Waterway to Mile Marker 108.5 West of Harvey Lock Gulf Intracoastal Waterway.**

(a) *Location.* Waters of the Gulf Intracoastal Waterway (GIWW) between West Harvey Lock Gulf West (WHL) MM 98.5 to MM 108.5.

(b) *Effective date.* This rule is effective May 26, 2011 through July 31, 2011 and enforceable with actual notice upon signature, May 26, 2011.

(c) *Regulations.* (1) In accordance with the general regulations in §165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port Morgan City.

(2) Vessels requiring entry into or passage through the Safety Zone must request permission from the Captain of

## § 165.T08–1087

the Port Morgan City, or a designated representative. They may be contacted on VHF Channel 11, 13 or 16, or by telephone at (985) 380–5370.

(3) All persons and vessels shall comply with the instructions of the Captain of the Port Morgan City and designated on-scene patrol personnel. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

EFFECTIVE DATE NOTE: By USCG–2011–0434, 76 FR 36315, June 22, 2011, temporary § 165.T08–0434 was added, effective from June 22, 2011 until 11:59 p.m. July 31, 2011.

## § 165.T08–1087 Security Zone, Michoud Slip.

(a) *Location.* The following area is a security zone: Michoud Slip, encompassing the entire slip from position 30°0′34.2″ N, 89°55′40.7″ W to position 30°0′29.5″ N, 89°55′52.6″ W across the mouth of the slip.

(b) *Effective period.* This section is effective from January 1, 2011, through December 31, 2011.

(c) *Regulations.* (1) In accordance with the general regulation in 33 CFR part 165, subpart D, vessels are prohibited from entering or transiting the security zone created by this section.

(2) Persons or vessels requiring deviations from this rule must request permission from the Captain of the Port New Orleans. The Captain of the Port New Orleans may be contacted at telephone (504) 365–2543.

(3) All persons and vessels shall comply with the instructions of the Captain of the Port New Orleans and designated personnel. Designated personnel include commissioned, warrant and petty officers of the U.S. Coast Guard assigned to units under the operational control of USCG Sector New Orleans.

EFFECTIVE DATE NOTE: By USCG–2010–1087, 75 FR 81858, Dec. 29, 2010, temporary § 165.T08–1087 was added, effective Jan. 1, 2011 through Dec. 31, 2011.

## § 165.802 Lower Mississippi River, vicinity of Old River Control Structure—Safety Zone.

(a) The area enclosed by the following boundary is a safety zone—from the Black Hawk Point Light, mile 316.1 AHP LMR to a point opposite Ft.

## 33 CFR Ch. I (7–1–11 Edition)

Adams Light, mile 311.5 AHP along the low water reference plane above the right descending bank; thence to the levee on a line perpendicular to the channel centerline; thence along the levee to the upstream end of the Old River Overbank structure; thence along a line to the Black Hawk Point Light.

(b) Any vessel desiring to enter this safety zone must first obtain permission from the Captain of the Port, New Orleans. The resident engineer at Old River Control Structure (WUG–424) is delegated the authority to permit entry into this safety zone.

[CGD8–87–10, 53 FR 15207, Apr. 28, 1988, as amended by CGD8 89–03, 54 FR 16108, Apr. 21, 1989]

## § 165.803 Mississippi River—regulated navigation area.

The following is a Regulated Navigation Area—The waters of the Mississippi River between miles 88 and 240 above Head of Passes.

(a) *Definitions.* As used in this section:

(1) *Breakaway* means a barge that is adrift and is not under the control of a towing vessel.

(2) *COTP* means the Captain of the Port, New Orleans.

(3) *Fleet* includes one or more tiers.

(4) *Fleeting facility* means the geographic area along or near a river bank at which a barge mooring service, either for hire or not for hire, is established.

(5) *Mooring barge* or *spar barge* means a barge moored to mooring devices and to which other barges may be moored.

(6) *Mooring device* includes a deadman, anchor, pile or other reliable holding apparatus.

(7) *Person in charge* includes any owner, agent, pilot, master, officer, operator, crewmember, supervisor, dispatcher or other person navigating, controlling, directing or otherwise responsible for the movement, action, securing, or security of any vessel, barge, tier, fleet or fleeting facility subject to the regulations in this section.

(8) *Tier* means barges moored interdependently in rows or groups.

(b) *Waivers:* (1) The COTP may, upon written request, except as allowed in paragraph (3) of this subsection, waive